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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/010,905	10/18/2001	Olli Makipaa	602.355USW1	6132
32294	7590	11/22/2004	EXAMINER	
SQUIRE, SANDERS & DEMPSEY L.L.P. 14TH FLOOR 8000 TOWERS CRESCENT TYSONS CORNER, VA 22182			CHU, GABRIEL L	
			ART UNIT	PAPER NUMBER
			2114	

DATE MAILED: 11/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/010,905

Applicant(s)

MAKIPAA ET AL.

Examiner

Gabriel L. Chu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 21 September 2004.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

**STATUS OF CLAIMS**

1. Claims 6 and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by US 6032271 to Goodrum et al.
2. Claims 1, 2, and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 6032271 to Goodrum et al. in further view of US 5878237 to Olarig.
3. Claims 3 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 6032271 to Goodrum et al. as applied to claims 1 and 4 above, and in further view of "CompactPCI Short Form Specification".
4. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over US 6032271 to Goodrum et al. as applied to claim 6 above, and in further view of "CompactPCI Short Form Specification".

***Claim Rejections - 35 USC § 102***

5. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
6. Claims 6 and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by US 6032271 to Goodrum et al. See previous office action.

***Claim Rejections - 35 USC § 103***

7. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

8. Claims 1, 2, and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 6032271 to Goodrum et al. in further view of US 5878237 to Olarig. See previous office action.

9. Claims 3 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 6032271 to Goodrum et al. as applied to claims 1 and 4 above, and in further view of "CompactPCI Short Form Specification ". See previous office action.

10. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over US 6032271 to Goodrum et al. as applied to claim 6 above, and in further view of "CompactPCI Short Form Specification ". See previous office action.

### ***Response to Arguments***

11. Applicant's arguments filed 21 September 2004 have been fully considered but they are not persuasive. Regarding Applicant's argument that Goodrum et al. do not disclose transferring a bus address into a first register and then transferring the bus address from the first register to a second register in conjunction with a reboot, Goodrum et al. have disclosed exactly this, particularly where cited, reproduced herein for convenience and with emphasis, from line 44 of column 88, "Referring to FIG. 39, the BIOS isolation handler first **logs 408 to the fail status information portion of the NVRAM the bus history and bus state vector information** stored in the history and vector FIFOs in the bus monitor 127." and from line 11 of column 88, "Referring to FIG. 38, a BIOS ASR handler is invoked in response to an ASR **reboot** condition. The ASR handler first checks 444 to determine if an isolation-in-progress event variable (EV) contains active information indicating that the isolation process was in progress prior to

the ASR time-out event. The isolation-in-progress EV is stored in non-volatile memory (NVRAM) 70 and includes header information which is set active to indicate that the isolation process has started. **The isolation-in-progress EV is also updated with the current state of the isolation process, including the slots which have been checked, the slots which are defective, and the slots which have been enabled.**

From just this much, it can clearly be seen that bus slot isolation information is transferred, in conjunction with a reboot, from the fail status information portion of the NVRAM to the isolation-in-progress EV. If any question remains as to the distinctness of the EV and the fail status information portion, attention should be directed to line 29 of column 88, "Next, the disabled slot numbers are logged 450 as fail status information stored in the NVRAM, and the isolation-in-progress EV is cleared." Although not cited in its entirety, Applicant is advised to read, at least, the "Fault Isolation" section of Goodrum et al. starting at column 86.

12. Regarding Applicant's further argument that the non-volatile memory for storing the isolation-in-progress EV of Goodrum et al. does not disclose first and second registers, in addition to the previously presented fact that data is stored in more than one location in that memory, that memory has also been previously revealed to be NVRAM. Furthermore, a "register", can be interpreted as broadly as simply an area of memory (From The Authoritative Dictionary of IEEE Standards Terms, "(1) A device capable of retaining information, often that contained in a small subset... (4) A storage device or storage location having a specified storage capacity..."). Although this definition has not been applied at its utmost, Examiner further argues that Applicant has

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not distinguished the claimed "register" in any particularly limiting manner, and certainly not over an NVRAM.

### ***Conclusion***

13. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gabriel L. Chu whose telephone number is (571) 272-3656. The examiner can normally be reached on weekdays between 8:30 AM and 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert W. Beausoliel, Jr. can be reached on (571) 272-3645. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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